vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.248 OF 2003
IN
LETTERS PATENT APPEAL (ST.) NO.36283 OF 2003
IN
WRIT PETITION NO.1550 OF 2003

Mohammed Zada barkat Khan & Ors. ... Applicants

V/s.

Kotecha Investment Corporation ... Respondent

Mr.A.N. Maniyar for Applicant
Mr.H.V. Chande for Respondent

CORAM: **S.B. MHASE &**
SMT.NISHITA MHATRE, JJ.

DATED: **FEBRUARY 28, 2007**

P.C.:

. Heard both sides. This is an application for condonation of delay of 115 days. The Respondent has vehemently opposed the application. We find that the delay has properly been explained. We are inclined to condone the delay in the interest of justice, however, subject to payment of costs. Delay is accordingly condoned on payment of costs of Rs.1,000/- to be paid to the other side and/or to be deposited with the Registry.

2. Civil Application is disposed off.

(NISHITA MHATRE, J.) (S.B. MHASE, J.)